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United States Department of Agriculture

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

REVISED RULES AND REGULATIONS GOVERNING THE MOVEMENT OF PLANTS AND PLANT PRODUCTS INTO AND OUT OF THE DISTRICT OF COLUMBIA

INTRODUCTORY NOTE

The supply of the last revised edition of the plant regulations relating to the District of Columbia having become exhausted, advantage is taken of the necessity for a reprint, of simplifying the form and wording of the regulations without material change in shipping requirements. The definition of nursery stock as stated in paragraph (a) of regulation 1 is clarified. The list of domestic plant quarantines formerly published in the appendix is eliminated, since up-to-date copies of such quarantines are always available from this Bureau.

SUMMARY

SHIPMENTS INTO THE DISTRICT OF COLUMBIA

Woody plants and foreign seeds.—A valid nursery-inspection certificate of the State, Territory, or country of origin must be attached to the outside of each container of woody plants or parts thereof capable of propagation (except domestic-grown seeds and fruit pits), shipped into the District of Columbia, and the container must be marked to show the nature of the contents. Such certification and marking are also required for foreign-grown seeds of woody plants, of palms, of *Vicia* (vetch, etc.), and of *Lathyrus* (sweet peas, etc.).

Herbaceous plants.—The container of each shipment of herbaceous perennials (including strawberry plants), bulbs, and roots, consigned to the District of Columbia must be marked to show the nature of the contents. (Herbaceous plants from foreign countries must meet the certification and marking requirements of Federal plant quarantine No. 37.)

SHIPMENTS OUT OF THE DISTRICT OF COLUMBIA

A certificate or permit issued by the Bureau of Entomology and Plant Quarantine must be attached to the outside of each shipment of woody or herbaceous plants, bulbs, roots, foreign-grown seeds of woody plants, of palms, of *Vicia* (vetch, etc.), and of *Lathyrus* (sweet peas, etc.) consigned from the District of Columbia to points outside. Each shipment is also subject to the restrictions of any Federal plant quarantine or order applicable thereto. To arrange for inspection, apply at the plant inspection house of this Bureau, Twelfth Street and Constitution Avenue NW. (District 6350, branch 4495), Washington, D. C.

AVERY S. HOYT,

Acting Chief, Bureau of Entomology and Plant Quarantine.

REVISED RULES AND REGULATIONS GOVERNING THE MOVEMENT OF PLANTS AND PLANT PRODUCTS INTO AND OUT OF THE DISTRICT OF COLUMBIA

(Approved April 27, 1938; effective April 30, 1938)

I, H. A. Wallace, Secretary of Agriculture, as required by the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended, do order that no plants or plant products shall be moved into or out of the District of Columbia except in

compliance with the rules and regulations supplemental hereto which are hereby promulgated: *Provided*, That certain plants or plant products may be exempted from these rules and regulations by administrative instructions issued by the Chief of the Bureau of Entomology and Plant Quarantine when, in his judgment, such articles are considered innocuous as carriers of dangerous plant pests.

Regulation 1. Definitions

For the purpose of these regulations, the following words, names, and terms shall be construed, respectively, to mean:

(a) *Nursery stock*.—All trees, shrubs, and plants having a persistent woody stem, and parts thereof capable of propagation, except fruit pits and seeds, provided that foreign-grown seeds of woody plants, of palms, of *Vicia* (vetch, etc.), and of *Lathyrus* (sweet peas, etc.), are defined as nursery stock.

(b) *Herbaceous and perennial plants, bulbs, and roots*.—Plants whose roots persist 2 or more years but which lack persistent woody stems above the ground. This term includes fibrous-rooted perennials, such as strawberry plants and phlox; bulbs, such as narcissus and crocus; corms, such as gladiolus; tubers, such as dahlia; fleshy roots, such as peony; rhizomes, such as iris; and such greenhouse-grown plants as ferns, geraniums, orchids, etc.

(c) *Annual plants*.—Plants grown from seed for bloom or food the same season and living only 1 year. This term includes such plants as cabbage, tomato, and aster.

(d) *Inspector*.—Plant quarantine inspector of the United States Department of Agriculture.

(e) *Moved*.—Offered for movement to or received for transportation by a common carrier or moved by any means whatever into or out of the District of Columbia.

(f) *Certificate*.—A certificate showing that the nursery or premises from which the plants or plant products were taken were inspected within 1 year prior to the date of shipment and were found to be free from injurious insect pests and plant diseases, or that the plants or plant products were inspected prior to shipment and found to be free from injurious insect pests and plant diseases.

Regulation 2. Unrestricted Articles

No requirements as to certification or labeling are placed by these regulations¹ on the entry into or movement out of the District of Columbia of (1) annual plants, cut flowers, or decorative plant material (such as branches and Christmas trees); (2) seeds, except certain foreign-grown seeds as defined in paragraph (a) of regulation 1; nor of (3) other plants and plant products not included in the definitions in paragraphs (a) and (b) of regulation 1. The requirements as to delivery of plant materials are stated in paragraphs (c) and (d) of regulation 3.

SHIPMENTS INTO THE DISTRICT OF COLUMBIA

Regulation 3. Requirements Relating to Nursery Stock and Other Plants and Plant Products

(a) *Certification and marking of nursery stock*.—No nursery stock as defined in regulation 1 shall be moved into the District of Columbia unless a valid certificate signed by the State nursery or horticultural inspector of the State or Territory or country from which the stock is shipped is attached to the outside of each package or other container. Each package or other container shall in addition be plainly marked with the names and addresses of the consignor and consignee and with a statement showing the nature of the contents.

(b) *Marking of herbaceous perennials, bulbs, or roots*.—No herbaceous perennial plants, bulbs, or roots, as defined in regulation 1, shall be moved into the District of Columbia unless the container thereof is plainly marked with

¹ Compliance with any special plant quarantine or restrictive order which may be applicable thereto is required. Information relative to such restrictions may be obtained from the Bureau of Entomology and Plant Quarantine.

the names and addresses of the consignor and consignee and with a statement showing the nature of the contents.²

(c) *Delivery of plants and plant products.*—No nursery stock, herbaceous plants, bulbs, or roots, originating outside of the District of Columbia shall be delivered to the consignee in the District of Columbia by a common carrier or other person until such delivery is authorized by an inspector of the Bureau of Entomology and Plant Quarantine.

(d) All nursery stock and herbaceous perennial plants, bulbs, and roots, annual plants, decorative plant material, and other plants and plant products, whether restricted or unrestricted, addressed to the United States Department of Agriculture, Washington, D. C., shall be delivered only at the plant inspection house of the Bureau of Entomology and Plant Quarantine (Twelfth Street and Constitution Avenue NW.).

Regulation 4. Shipments Which Fail to Comply With Regulations

Plants and plant products shipped into the District of Columbia, which are found to be infected or infested with any plant pest or disease, or which have not been moved in full compliance with these regulations, may be disposed of as authorized in the Plant Quarantine Act.

SHIPMENTS OUT OF THE DISTRICT OF COLUMBIA

Regulation 5. Certification of Nursery Stock and Herbaceous Perennial Plants, Bulbs, and Roots

(a) No nursery stock, or herbaceous perennial plants, bulbs, or roots, as defined in regulation 1, shall be moved out of the District of Columbia unless a certificate or permit has been issued therefor by the Bureau of Entomology and Plant Quarantine. Each package or other container of such plants, bulbs, or roots shall have such a certificate or permit attached to the outside thereof.

(b) A certificate or permit may be issued for the movement out of the District of Columbia of the nursery stock covered by this regulation, when it has been examined by an inspector and found apparently free from dangerous plant diseases and insects and when such shipment is found to comply in full with all Federal quarantine regulations.

(c) Nursery stock, herbaceous perennial plants, bulbs, or roots, to be shipped out of the District of Columbia must be presented at the plant inspection house of the Bureau of Entomology and Plant Quarantine (Twelfth Street and Constitution Avenue NW.) for inspection at the time of shipment unless otherwise authorized by an inspector.

When large shipments are contemplated, arrangements may be made for inspection at other places by telephoning District 6350, branch 4495, or writing the Bureau.

Application for inspection of articles the movement of which is restricted by quarantine regulations or other restrictive orders shall be made at a season of the year sufficiently in advance of the contemplated date of shipment to provide for compliance with regulations.

(d) No common carrier or other person shall accept for shipment or remove from the District of Columbia any nursery stock, herbaceous perennial plants, bulbs, or roots, unless the required certificate or permit has been issued and is securely attached to the outside of each container.

These revised rules and regulations shall be effective on and after April 30, 1938, and shall supersede the rules and regulations governing the movement of plants and plant products into and out of the District of Columbia, promulgated April 29, 1931.

Done at the city of Washington this 27th day of April 1938.

Witness my hand and the seal of the United States Department of Agriculture.



H. A. WALLACE,
Secretary of Agriculture.

² Herbaceous plants of foreign origin must be marked in accordance with the provisions of Federal Quarantine No. 37 (nursery stock, plants, and seeds).

APPENDIX

PENALTIES

The Plant Quarantine Act of August 20, 1912 (37 Stat. 315), provides that any person who shall move or allow to be moved, or shall ship, transport, or carry, by any means whatever, any plants or plant products from or into the District of Columbia, except in compliance with the rules and regulations prescribed under this section, shall be punished, as is provided in section 10 of this act. Section 10 states that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment not exceeding 1 year, or both such fine and imprisonment, in the discretion of the court.





